

II. REMARKS

A. Introductory Remarks

Reconsideration and allowance of this application is requested. Claims 3-10, 14, and 16-19, 21-33 are currently pending in this application. By this amendment, claims 8-10, 14, 16, 18-19, and 26 have been amended. Claims 6, 15, 23, 27, 31, 32, and 33 are presently cancelled without prejudice. No new matter has been added by these amendments.

B. Rejection of Claims 3-10, 14, 16-29, and 21-23 Under 35 U.S.C. §112, Second Paragraph

The Office Action dated June 16, 2008 rejected claims 3-10, 14, 16-19, 21-33 under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Office Action recited that “in claims 14 and 27, the term ‘substantially free’ is a relative term which renders the metes and bounds of the claim unclear. How substantially free of HDA must the composition be, 49%, 25%, 75%?” *See*, Office Action, at p. 2. In light of the amendments made to independent claims 14 and 27, Applicants traverse this rejection for the following reasons.

Without acquiescing to the merits of the rejection, Applicants have amended independent claim 14 by deleting the recitation “substantially free of hydroxylamine.” Accordingly, this rejection has been overcome and Applicants respectfully request withdrawal of this rejection.

C. The Rejection of Claims 3-10, 14, 16-19, and 21-33 Under 35 U.S.C. §103(a)

The Office Action rejected claims 3-10, 14, 16-19, and 21-33 under 35 U.S.C. §103 as allegedly obvious over U.S. Patent 7,008,554 (“Tsai”) in view of U.S. 6,858,540 (“Sun”) and further in view of U.S. Patent 6,347,978 (“Fang”). *See*, Office Action at pp. 3-5. In light of the amendments made to independent claim 14, Applicants traverse this rejection for the following reasons.

Applicants have amended claim 14 to recite features that antedate the teachings and disclosure of the cited prior art references of Sun, Tsai, and Fang. In particular, Applicants have amended claim 14 to omit the barrier layer polishing, which was the subject matter of this instant continuation-in-part (CIP) application. As such, currently amended independent claim 14,

without the feature of barrier layer polishing, is supported by the specification of the parent application 09/226,996 filed on January 7, 1999 now issued as U.S. Patent 6,635,186 attached herewith as Exhibit A. For example, Examples 20-26 fully support the recitations of independent claim 14. Example 21 illustrates a slurry-less polishing system, *i.e.*, with substantially abrasive free but with hydroxylamine nitrate at an applied pressure of 2 psi. Additionally, Example 25 illustrates polishing of a substrate comprising copper on a metal oxide layer. Further, the recitation of a "corrosion inhibitor" in claim 14 is supported at col. 4, ll. 1-5 and col. 9, ll. 8-17 of U.S. Patent 6,635,186. Thus, the features of amended claim 14 are fully supported in the parent application 09/226,996 filed on January 7, 1999 now issued as U.S. Patent 6,635,186.

The effective filing date of the Sun reference is May 11, 2000. The effective filing date of the Tsai reference is July 13, 2001 and the effective filing date of Fang reference is October 22, 1999. Therefore, because the recitation of amended claim 14 is fully supported in the specification of the parent application, 09/226,996 filed on January 7, 1999 now issued as U.S. Patent 6,635,186, the Sun, Tsai, and Fang references do not constitute as prior art against amended claim 14. Accordingly, Applicants respectfully request withdrawal of this rejection.

Similarly, the recitations of the dependent claims are also fully supported by the specification of application 09/226,996 filed on January 7, 1999 now issued as U.S. Patent 6,635,186.

For at least the foregoing reasons, Applicants request withdrawal of this rejection as to amended independent claim 14 and as to the corresponding dependent claims 3-7, 8-10, 16, 18-19, 21-22, 24-26, 28-30 that depend either directly or indirectly from independent claim 14.

D. Request for Allowance

In view of the amendments and arguments presented above, all pending claims are now believed to be in condition for allowance, an indication of which is solicited. In the event that any issues remain outstanding, Applicants would appreciate the courtesy of a telephone call to the undersigned counsel to resolve such issues in an expeditious manner so as to place this application in condition for allowance.

No additional fees are believed due, other than the separately filed one-month extension fee. However, if any additional fees are determined to be due, the Commissioner is hereby authorized to charge these fees to the Morgan, Lewis & Bockius deposit account no. 50-0310.

Respectfully submitted,

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